
SECTION TWO – MIOSHA REGULATIONS

PART 1: Common Regulations for Safety and Health

CHAPTER 9: Hazard Communication/Employee Right-To-Know

The *Michigan Occupational Safety and Health Act (MIOSHA), Public Act 154 of 1974*, was amended in 1986 to adopt the federal *Hazard Communication Standard, Title 29, Part 1910.1200 of the Code of Federal Regulations (29 CFR 1910.1200)*. *29 CFR 1910.1200* is designed to make information about hazardous substances present in Michigan workplaces, available to exposed employees. The hazard communication standard applies to any business, including printers, that uses hazardous chemicals, no matter the number of individuals employed. Examples of printing products covered by this standard include:

- Developer;
- Fixer;
- Fountain solution;
- Blanket wash, and
- Ink.

All Michigan employers, including printers, are required to develop a hazard communication program if their employees are exposed to hazardous materials. This program must include a written hazard communication program which addresses:

- How container labeling, including pipes and piping systems, will be addressed by the employer;
- Employee training and information regarding use of hazardous chemicals;
- How material safety data sheets (MSDS) will be developed and maintained;
- A list of all hazardous chemicals. The chemical name on this list must be the same as on the material safety data sheet and container label to allow for cross-referencing. The list can be compiled for the workplace as a whole or for individual work areas;
- Informing employees about the hazards of nonroutine tasks, such as draining and cleaning a parts wash tank; and
- Exchanging information about exposure to hazardous chemicals when working in multi-employer settings (e.g., a contractor is working on the premises). Information to be exchanged between each employer on-site includes:
 - the method for accessing each employer's MSDSs;

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- appropriate training of exposed employees by their respective employer on the hazards posed and any necessary controls or personal protective equipment required; and
- the labeling mechanism used by each employer.

In addition to the written program:

- Employees must be trained in the identification, use, and hazards of the chemicals they work with and any appropriate protective measures [**29 CFR 1910.1200(h)(3)**];
- MSDSs for hazardous chemicals must be maintained in an orderly fashion and accessible to the employee within the workshift [**29 CFR 1910.1200(g)(8)**]; and
- Containers such as spray bottles, bags, drums, storage tanks, etc., must be labeled or identified with the content and type of hazard the material poses. Labels from the manufacturer or distributor must also contain their name and address.

Working with printing products can get messy; sometimes making it difficult to read labels. One method that seems to work quite well for small plastic solvent bottles is to put identification tags on them. The identification tag allows employees to go to a central board where the tags are posted along with the material safety data sheets.

- All pipes and piping systems in the workplace (including those containing compressed air at greater than 25 pounds per square inch) that contain hazardous chemicals, must be identified by labels, signs, color coding, placards, written operating instructions, batch tickets, process sheets, schematics, or any other method of demarcation.

The standard does not apply to:

- Hazardous waste as defined in Chapter 2.3.1 (such as ink sludge and spent plating solutions); and
- Articles (anything that during the course of its normal use does not have the potential to result in exposure of the employee to a hazardous substance; e.g., empty cartons, wrappers and roll cores), food, drugs or cosmetics intended for personal consumption by employees while in the workplace [**29 CFR 1910.1200(b)(6)**].

Product manufacturers are responsible for providing properly labeled containers. There are some federal acts with labeling requirements that supercede the labeling requirements of **29 CFR 1910.1200 (b)(5)**. If a product is subject to one of the following acts, the manufacturer must

comply with that particular act's labeling requirements and not the hazard communication standard labeling requirements:

***Federal Insecticide, Fungicide, and Rodenticide Act;
Federal Food, Drug, and Cosmetic Act;
Federal Alcohol Administration Act;
Consumer Product Safety Act;
Federal Hazardous Substances Act;
Federal Seed Act; or
Toxic Substances Control Act.***

The newest provision of the Hazard Communication standard requires employers to retain all U.S. Department of Transportation (USDOT) placards, labels, and markings on incoming containers. These labels must remain on the containers until they are cleaned and purged of all residue and vapors. Employers who transfer chemicals from these types of containers (e.g., ink totes) to in-house containers, do not need to transfer the label unless the container will be shipped off the work site.

Additionally, "consumer use items" are not regulated by this standard. "Consumer use items" are materials an ordinary consumer could purchase. To be exempt from coverage, these consumer items must be used in the work place in the same fashion and amount as the ordinary consumer would use them. While many of the hazardous materials used by printers are available to consumers, these products are not used in a consumer fashion and, therefore, are not exempt. For example, ink would not be exempt due to the quantity and frequency of use in a printing facility.

Posters stating where material safety data sheets are located and who is responsible for their maintenance (*CET #2105*) must be placed in conspicuous locations accessible to all employees. Additionally, a poster (*CET #2106*) must be conspicuously displayed within five working days of the receipt of a new or revised material safety data sheet. This poster must be displayed for not less than ten working days.

<p>This Workplace Covered by the Michigan Right To Know Law</p> <p>Employers must make available for employees in a readily accessible manner, Material Safety Data Sheets (MSDS) for those hazardous chemicals in their workplace.</p> <p>Employees cannot be discharged or discriminated against for exercising their rights including the request for information on hazardous chemicals.</p> <p>Employees must be notified and given direction (by employer posting) for locating Material Safety Data Sheets and the receipt of new or revised MSDS(s).</p> <p><small>* Employees may also request MSDS from the Michigan Department of Consumer & Industry Services, Bureau of Safety & Regulation Division of Occupational Health, 7101 Hans Dr., P.O. Box 20460, Lansing, Michigan 48909-0460. (517) 326-1656</small></p> <p>MISHA Michigan Department of Safety and Health</p> <p><small>BSP/SET #2105 (Rev. 4/98)</small></p>	<p>CIS Consumer & Industry Services</p> <p>MSDS(s) For This Workplace Are Located At</p> <p>LOCATION(S) LOCATION(S) PERSON(S) responsible for MSDS(s) PHONE</p>	<p>As Required by the Michigan Right To Know Law <small>TO BE POSTED THROUGHOUT THE WORKPLACE NEXT TO MSDS LOCATION POSTERS</small></p> <table border="1"><thead><tr><th>NEW OR REVISED TITLE</th><th>RECEIPT DATE</th><th>POSTING DATE</th><th>LOCATION OF NEW OR REVISED MSDS</th></tr></thead><tbody><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr></tbody></table> <p>CIS CONSUMER & INDUSTRY SERVICES</p> <p>MISHA Michigan Department of Safety and Health</p>	NEW OR REVISED TITLE	RECEIPT DATE	POSTING DATE	LOCATION OF NEW OR REVISED MSDS																																				
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Both posters are typically displayed in areas of the work place where other federal and state required postings may be found.

Copies of a sample written hazard communication program and required posters are available from the CIS, Consultation, Education and Training Division (see Where To Go For Help at the end of the MIOsha Overview).